

**FAIRFAX COUNTY, VIRGINIA
2005 SOUTH COUNTY AREA PLANS REVIEW
NOMINATION TO AMEND THE COMPREHENSIVE PLAN**

Staff Use OnlyDate Received: 9/21/05

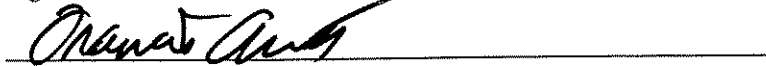
Date Accepted: _____

Planning District: _____

Special Area: _____

SECTION 1: NOMINATOR/AGENT INFORMATIONName: **Francis A. McDermott, Nominator** Daytime Phone: **703-714-7422**Address: **1751 Pinnacle Drive, Suite 1700, McLean, Virginia 22102**Nominator E-mail Address: **fmcdermott@hunton.com**

Signature of Nominator (NOTE: There can be only one nominator per nomination):



Signature of Owner(s) if applicable: (NOTE: Attach an additional sheet if necessary. Each owner of a nominated parcel must either sign the nomination or be sent a certified letter):

Please see signatures of Owners attached ("Attachment 1").

Anyone signing on behalf of a business entity, must state the relationship to that organization below or on an attached page:

Please see "Attachment 1."**SECTION 2: GENERAL INFORMATION**Check appropriate supervisor district: ☐ Braddock ☐ Lee ☐ Mason ☐ Mount Vernon ☒ **Springfield**Total number of parcels nominated: 5Total aggregate size of all nominated parcels (in acres and square feet): + 1,317,433 sq. ft. + 30.2441 acresIs the nomination a Neighborhood Consolidation Proposal: ☐ Yes ☒ **No**

SECTION 3: SPECIFIC INFORMATION – *Attach either the Specific Information Table found at the end of this application form or a separate 8 ½ x 11 page (landscape format) identifying all the nominated parcels utilizing the format as shown in the Table found at the end of this application.*

All subject property owners must be sent written notice of the nomination by certified mail unless their signature(s) appears in Section 1 (above).

IMPORTANT NOTE: *Any nomination submitted without originals or copies of all the postmarked certified mail receipt(s) and copies of each notification letter and map will not be accepted.*

Please see "Attachment 1."**APR# 05-III-1FC****Page 1 of 13**

SECTION 4: CURRENT AND PROPOSED COMPREHENSIVE PLAN DESIGNATIONS

See Section IV, #4, of the Citizen's Guide for instructions.

Current Comprehensive Plan text for nominated property:

Use the Plan on the Web for your citation. It is the most up-to-date. Link: www.fairfaxcounty.gov/dpz/.

Please see attached downloaded copy of current adopted Plan text found on pages 86, 87 and 89 of the Fairfax Center Area Plan for Land Unit P2 ("Attachment 2").

Current Plan Map Designation: Office/Mix at a 0.35 FAR, with an option in text for a 0.5 FAR, and another option for 0.7 FAR.

Proposed Comprehensive Plan Designation: "Mixed Use" at an overall 0.5 FAR for the Fairfax Corner PDC (Land Unit P2), with a revised option in the text.

Mixed Use	
If you are proposing Mixed Use, it must be expressed in terms of floor area ratio (FAR). The percentage and intensity/density of the different types of uses must be specific and must equal 100% of the total FAR proposed. The mix and percentage of uses provided by the nominator are what staff and the task force will review. Ranges are not acceptable.	
Categories See "Justification Statement" ("Attachment 4") for required FAR information pertaining to 114 acre Fairfax Corner PDC, which comprises FCA Plan Land Unit P-2	Percent of Total FAR
Theater (existing, not within nominated area)	4%
Office/Hotel	27%
Retail/Restaurant	13%
Public Facility, Gov & Institutional	
Private Recreation/Open Space	
Industrial	
Residential*	56%
TOTAL	100%
* If residential is a component, please provide the approximate number and type of dwelling unit as well as the approximate square footage per unit assumed (i.e., 300 mid-rise multifamily units at 800 square feet per unit).	
Approximately 290 new multi-family du's ranging from 870 to 1,150 s.f. in size.	

Residential Land Use Categories	
Categories expressed in dwelling units per acre (du/ac)	Number of Units
.1 - .2 du/ac (5-10 acre lots)	
.2 - .5 du/ac (2-5 acre lots)	
.5 - 1 du/ac (1 - 2 acre lots)	
1 - 2 du/ac	
2 - 3 du/ac	
3 - 4 du/ac	
4 - 5 du/ac	
5 - 8 du/ac	
8 - 12 du/ac	
12 - 16 du/ac	
16 - 20 du/ac	
20 + du/ac**	
** If you are proposing residential densities above 20 du/ac, you must specify a range such as 20-30 du/ac or 30 -40 du/ac.	

SECTION 5: MAP OF SUBJECT PROPERTY

Attach a map clearly outlining in black ink the property of the proposed Plan amendment. The map must be no larger than 8 ½ x 11 inches. Maps in color will not be accepted.

Please see attached map ("Attachment 3")

SECTION 6: JUSTIFICATION

Each nomination must conform with the Policy Plan and must meet at least one of the following guidelines. Check the appropriate box and provide a written justification that explains why your nomination should be considered, based on the guidelines below (two-page limit).

Please see attached Justification Statement ("Attachment 4").

- ☒ The proposal would better achieve the Plan objectives than what is currently in the adopted Plan.
- ☒ There are oversights or land use related inequities in the adopted Plan that affect the area of concern.

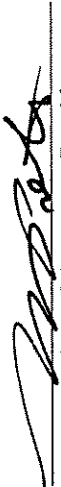

All completed nomination forms must be submitted between July 1, 2005 and September 21, 2005 to:

**Fairfax County Planning Commission Office
Government Center Building, Suite 330
12000 Government Center Parkway
Fairfax, Virginia 22035-5505**

SPECIFIC INFORMATION TABLE

All subject property owners must be sent written notice of the nomination by certified mail unless their signature appears in Part 1 of this application. If you are required to notify more than one property owner, you must provide all the information requested below.

IMPORTANT NOTE: Any nomination submitted without originals or copies of all the postmarked certified mail receipt(s) and copies of each notification letter and map will not be accepted.

Tax Map Number	Name of Property Owner	Street Address of Parcel	Mailing Address of Owner	Parcel Size	Signature of Owner or Certified Receipt Number
56-1-((1))-47H	Fairfax Corner Office L.C.	No Address	12500 Fair Lakes Circle Suite 400 Fairfax, VA 22033	± 0.8184 ac.	FAIRFAX CORNER OFFICE L.C. By: Fairfax Corner Office, Inc., its Managing Member  By: Milton V. Peterson, President
56-1-((1))-47G	Fairfax Corner Retail L.C.	No Address	12500 Fair Lakes Circle Suite 400 Fairfax, VA 22033	± 27.8361 ac.	FAIRFAX CORNER RETAIL L.C.  By: Milton V. Peterson, Manager
56-1-((1))-47J	Fairfax Corner Retail L.C.	No Address	12500 Fair Lakes Circle Suite 400 Fairfax, VA 22033	± 0.3475 ac.	
56-1-((1))-47K	Fairfax Corner Retail L.C.	No Address	12500 Fair Lakes Circle Suite 400 Fairfax, VA 22033	± 0.5127 ac.	
56-1-((1))-47L	Fairfax Corner Retail L.C.	No Address	12500 Fair Lakes Circle Suite 400 Fairfax, VA 22033	± 0.7294 ac.	

LAND UNIT P

CHARACTER

This land unit is located north of Route 29, east of the Alden Glen townhouse development, south of I-66 and west of Land Unit Q. This land unit contains the Fairfax County Government Center, the Fairfax Corner development site, and several large vacant tracts. Transit improvements are proposed for the area adjacent to I-66. Potential facilities could include a rail station, express bus and kiss-and-ride facilities, or a park-and-ride lot.

RECOMMENDATIONS

Land Use

Sub-unit P1

This sub-unit contains the Fairfax County Government Center. It also contains the mixed-use development planned in conjunction with the southern portion of Sub-unit I4 and the eastern portion of Sub-unit H2. Sub-unit P1 together with those portions of Sub-units I4 and H2 mentioned above are planned for office-mixed-use and the overall FAR should not exceed .35.

Buffering measures should be incorporated to mitigate potential impacts on adjacent residential communities. Pedestrian linkages to the Government Center and Fairfax Center core area are essential to the achievement of the objectives of the Plan.

Sub-unit P2

This sub-unit is planned for office mixed-use development at an intensity of .35 FAR at the overlay level. Development of this area should include a mixture of uses including office, residential, hotel, entertainment, recreation, and support retail.

The overlay level may be adjusted to .70 FAR office mixed-use for a portion of Sub-unit P2 not to exceed 33 acres (including the approximately six acres to be dedicated to the County for a public transit facility). This 33-acre area should be centrally located, adjacent to I-66 and west of Random Hills Road Extended. To achieve an intensity above .50 FAR for these 33 acres, dedication upon request of the County of at least six acres for a transit facility at a location determined suitable by the County and generally located adjacent to I-66 and west of Random Hills Road Extended should occur. In addition, dedication of sufficient roadway right-of-way to provide access to the site should occur upon request of the County. The construction of any intensity related to the increase in FAR from .50 to .70 on the 33-acre portion of the sub-unit shall be phased with the actual operation of adequate transit service to the transit facility area. The area for the transit facility must be dedicated when the applicant is ready to develop this portion of Sub-unit P2 or when the County requests that the land be dedicated, whichever first occurs. If land is not dedicated to the County as specified above, then this portion of the sub-unit is planned for .50 FAR at the overlay level.

In order to develop this sub-unit at the overlay level, the following conditions should be met:

- Mitigation of noise impacts from I-66;

- Office development orientation to I-66;
- Housing development orientation to EQC;
- Potential sharing of amenities with proposed Fairfax County Government Center;
- Mitigation of potential negative traffic impacts on surrounding areas;
- Mitigation of impacts on the adjacent, existing residential neighborhoods of Dixie Hills and Alden Glen;
- Provision of pedestrian access throughout the site particularly along the north side of Monument Drive;
- Primary access should be from Monument Drive;
- Linkage to the Fairfax Center core area on the north side of I-66 via Monument Drive bridge; and
- Roadway connections should be provided between Random Hills Road and Monument Drive through Sub-unit P2.

Sub-unit P3

Sub-unit P3 is planned for residential mixed-use at 10 dwelling units per acre at the overlay level. An open space buffer should be preserved along Monument Drive and the planned subconnector. See Sub-unit P4 for an option at the overlay level for that portion of Sub-unit P3 that is in Parcel 56-2((1))69A.

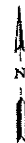
Sub-unit P4

Sub-unit P4 is planned for office mixed-use at a maximum intensity of .40 FAR. The linear park along the east side of Monument Drive must be accommodated in development plans for the area. In addition, an open space buffer should be preserved along the north side of Government Center Parkway.

An option at the overlay level may be considered for Parcel 56-2((1))69A. This parcel comprises the majority of Sub-unit P4, as well as portions of Sub-units P3 and Q5. This parcel may be appropriate for mixed use as follows:

1. Residential use up to 12 du/ac, with a mix of single family attached and multifamily units.
2. Office and/or retail use up to .25 FAR is located east of Monument Drive and south of Government Center Parkway. There should be no direct access from Route 29 to the shopping center and/or office development. Retail use is subject to the following conditions:
 - Retail use is limited to a maximum of 125,000 square feet.

LAND UNIT SUMMARY CHART – LAND UNIT P			
<u>Sub-units</u>	<u>Approximate Acreage</u>		
P1	183		
P2	121		
P3	24		
P4	52		
<u>Sub-units</u>	<u>Recommended Land Use</u>	<u>Intensity/ FAR</u>	<u>Density Units/Acre</u>
Baseline Level			
P1	OFFICE; PUBLIC FACILITIES	.25	
P2	OFFICE; RESIDENTIAL	.25	4, 8
P3	RESIDENTIAL		5
P4	OFFICE; RESIDENTIAL	.25	5
Intermediate Level			
P1	OFFICE/MIX; PUBLIC FACILITIES	.28	
P2	OFFICE/MIX	.28	
P3	RESIDENTIAL/MIX		8
P4	OFFICE/MIX	.30	
Overlay Level			
P1	OFFICE/MIX; PUBLIC FACILITIES	.35	
P2	OFFICE/MIX; HOTEL	.35	300 Rooms
P3 *	RESIDENTIAL/MIX		10
P4 *	OFFICE/MIX	.40	
* See text for specific recommendations regarding an option at the overlay level for Parcel 56-2((1))69A.			



FEET

Map file is 50° X 72" based on USGS 1:50,000 scale
7.5 minute Quad Virginia Coordinate System
values are of 1983 North Zone in U.S. East based on
NAD 83/93 High Precision GPS Network adjustment
National Geodetic Vertical Datum 1929

GENERAL NOTES

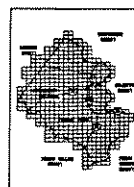
ZONING

Preface and Comments:

The use or development of the property as presented is subject to the zoning application submitted in accordance with the development zoning district regulations by proposed conditions (1) or otherwise. A complete explanation is provided on page 1 of the official zoning map.

Zoning revised to: 09/16/05
subsequent changes are reflected.

The information contained on this page is NOT to be construed or used as a "legal description". It is not a survey product and is not to be used for the design, modification or construction of improvements to real property or for the final plat determination. Fairfax County does not provide any guarantee of accuracy or completeness regarding the map information. Any errors or omissions should be reported to the Fairfax County Geographic Information Services Branch of the Department of Information Technology. In no event will Fairfax County be liable for any damages, including but not limited to loss of data, loss of profits, business interruption, loss of business information or any other pecuniary loss that might arise from the use of the map or information it contains.



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SHEET INDEX

PROPERTY MAP ZONING

56-1

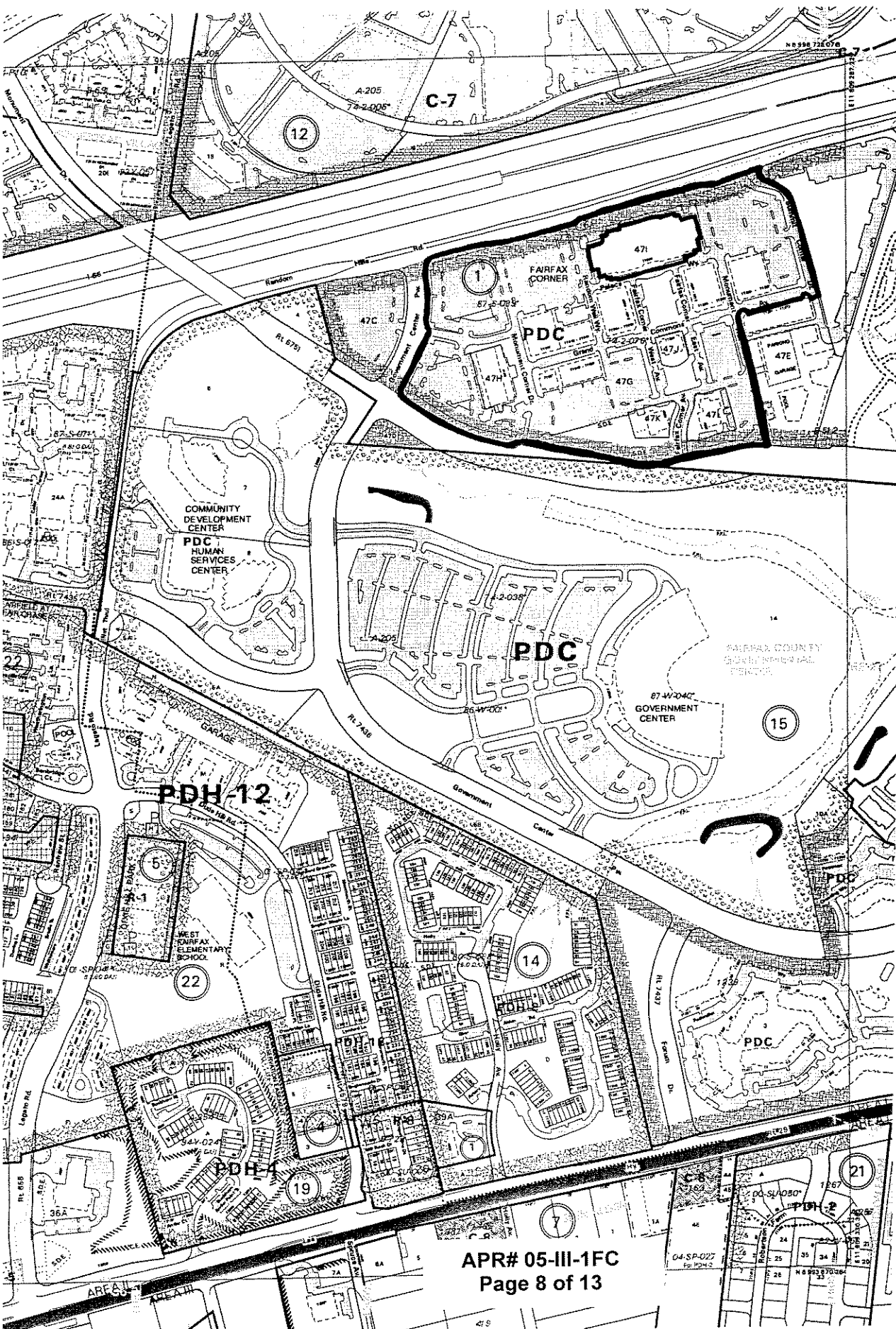
Revised to: 09/16/05

Prepared by:

DEPARTMENT OF INFORMATION TECHNOLOGY
Enterprise Services Division
Geographic Information Services
1300 Government Center Parkway, 117
Fairfax, Virginia 22033-0010
(703) 324-2712
FAX (703) 324-3977

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File Creation Date: 16 Sep 05



FAIRFAX CORNER
PLAN AMENDMENT NOMINATION
JUSTIFICATION STATEMENT
September 21, 2005

This Nomination is filed on an approximately 30.24-acre portion of "Fairfax Corner," a high quality mixed use development located south of Fair Oaks Mall and Interstate 66, northeast of the planned transit facility, and north of the Government Center. This Plan Amendment Nomination has been filed on the parcels within Fairfax Corner still owned by the master developer. Fairfax Corner is 114.53 acres in total size and comprises "Land Unit P2" of the Fairfax Center Area (FCA) Plan.

The purpose of this Nomination is to eliminate out-dated Plan text for Land Unit P-2 found on pages 86, 87 and 89 of the Plan (see Attachment 2), and to approve long-range plans for this property that better achieve Countywide Policy Plan and FCA Plan objectives. The Plan text needs to be revised to achieve the following: (i) accurately reflect built conditions because the current Plan text is based on proffered plans from more than ten years ago by a previous owner, which have since been significantly changed; (ii) reflect proffered commitments and residential cap increases approved for the Fairfax Corner PDC by the Board of Supervisors; (iii) change the land use designation from "Office/Mix" to "Mixed Use" to acknowledge the fact that the Board approved (and the units are built) sixty percent residential use, thus rendering the "Office/Mix" designation moot for this land unit; (iv) establish a long-range vision of vertical integration of uses within Fairfax Corner by allowing a modest re-allocation in the percentage mix of land uses and an increase in the floor area ratio, as outlined on the nomination form and described below.

"Fairfax Corner" exemplifies the high quality site and architectural design and true mix of land uses envisioned by the Fairfax Center Area Plan at the time of adoption 23 years ago. True integration of commercial and residential uses, creation of a walkable environment, design of urban plazas that have become community focal points, and establishment of a 24-hour activity cycle have resulted at Fairfax Corner in the type of "Suburban Core" the FCA Plan recommends for Land Unit J to the north, but which has not been achieved at that location. The Nominator submits that Land Unit P, with its transit site, the County Government Center, and Fairfax Corner, is a "suburban core" and the Comprehensive Plan should encourage its growth and vibrancy.

The planning philosophy described on page four of the FCA Plan envisions a place where homes are within walking distance of work and services, an appropriate balance between residential and employment uses exists, and "density to support efficiencies in transportation and public facilities and the provision of substantial amenities that are in the public interest." For these reasons, this proposed Plan Amendment would better achieve Plan objectives than what is currently in the adopted Plan, and it addresses "oversights or land use inequities in the Plan that affect the area of concern." Given the overwhelming success of Fairfax Corner as a major community asset, both to workers and residents in and around Fairfax Center, consideration should be given not only to rewriting obsolete Plan text, but also to slightly changing the mix and increasing intensities on the subject parcels.

Currently, Land Unit P-2 is planned at the Overlay Level for “Office/Mix” at a 0.35 FAR, with a specific “option” in the Plan text for an undefined, 33-acre central area, to be developed up to 0.50 FAR. The Plan allows for up to a maximum 0.70 FAR, provided certain conditions are met, including dedication of a six-acre transit site. The current Plan text mirrors a superseded proffered rezoning and does not reflect the rezoning approval and construction of Fairfax Corner, County acquisition of a three-acre transit parcel at the western edge, and provision for a bus loading facility. Other examples of the outmoded nature of the Plan language for Land Unit P-2 is its requirement for housing to be oriented to the EQC only and for roadway connections through P-2 which are inconsistent with the pedestrian nature of this PDC and the constructed road network.

It is appropriate over the long-term for Fairfax Corner to evolve upward, achieving a vertical integration of uses not yet seen in this part of the County. The long-term plan vision would be for redevelopment of existing surface parking lots with ground-floor retail uses, topped by one or two levels of structured parking and either office or multi-family residential use. These structured parking facilities would continue to be oriented outside the central plaza and retail areas to retain the successful pedestrian character of Fairfax Corner. Vertical integration can be achieved with a more balanced mix of land uses, arranged in a critical mass around the core. Adjacency to the planned transit facility should be better utilized. Additional ground level streetscapes, restaurants, and retail shops would complement the new office buildings and residential buildings.

The 114.53-acre Fairfax Corner PDC is proffered to a maximum of 1,746,185 gross square feet of development at a 0.35 FAR. Its development pattern under the existing zoning is expected to be 60 percent residential (excluding ADUs) in 1,040 multi-family dwelling units; 19 percent office/hotel use; 16 percent retail/restaurant; and five percent theater use.

This Plan Amendment Nomination proposes a higher percentage of office/hotel use and a smaller percentage of residential use to create a more balanced mix of uses across the entire 114 acres, for a proposed maximum of 2,450,543 gross square feet at a 0.49 FAR. The mix of uses is proposed as follows: 56 percent residential (with the addition of approximately 290 multi-family dwelling units located above future ground-floor retail and parking decks); 27 percent office/hotel use; 13 percent retail/restaurant (unchanged) and 4 percent theater use. The proposed change to a “Mixed Use” designation, increase in FAR at the Overlay Level of development from 0.35 to 0.50 for the entire 114.5-acre PDC, and change in land use mix, is in accordance with Plan policies which call for transitioning of FAR outward from the “core,” which the Plan still identifies as the mall and other uses in Land Unit J. These changes to the text and land use summary chart will accurately reflect current planning and solidify Fairfax Corner, over the long-term, as a major employment, entertainment and residential destination and community focal point.



HUNTON & WILLIAMS LLP
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FRANCIS A. MCDERMOTT
DIRECT DIAL: 703-714-7422
EMAIL: fmcdermott@hunton.com

FILE NO: 52020.9

January 11, 2006

By Hand

Ms. Barbara Lipa, Executive Director
Fairfax County Planning Commission
12000 Government Center Parkway
Suite 330
Fairfax, Virginia 22035

APR# 05-III-1FC
Fairfax Corner Plan Amendment Nomination

Dear Ms. Lipa:

As instructed by the Department of Planning and Zoning staff, this "letter of clarification" is submitted to add one parcel to the above-referenced Plan Amendment Nomination, which was filed on September 21, 2005. In late December, 2005, DPZ staff directed us to include this parcel in order to "fill in the hole," so staff can deem this Nomination to consist of a "logical planning area."

The parcel, described below, consists of approximately two acres and is not owned by my client, The Peterson Companies. Consequently, in accordance with "The Citizens' Guide to the 2005-2006 South County Area Plans Review," on December 27, 2005, a certified letter was sent to the property owner, as identified in the County Property Assessment files, with a copy sent to you. The certified letter receipt also has been sent to you under cover letter dated January 6, 2006.

An additional certified letter, dated today, has also been sent to the same addressee; this letter has been revised to include the street address of the Parcel, to reflect more accurately the size (in square feet) of the Parcel, to include a revised Nomination Area Map which adds the Parcel, and to direct the letter to a specific officer of the owner (while still utilizing the owner and address shown in the current real estate tax assessment records). This revised certified letter and the postmarked certified receipt for it are enclosed.



Barbara Lipka, Executive Director

January 11, 2006

Page 2

The parcel is identified in the County Assessment records as follows:

Tax Map ID Number	Name of Property Owner	Street Address of Parcel	Mailing Address of Owner	Parcel Size (in sq. ft and acres)
56-1 ((1)) 47 I	Quincy Amusements, Inc.	11900 Palace Way, Fairfax, VA	200 Elm Street Dedham, MA 02026	\pm 85,453 s.f. \pm 1.96 acres

With this additional parcel, the total number of parcels nominated increases from 5 to 6, and the total aggregate size of all nominated parcels increases to \pm 1,402,886 square feet, or \pm 32.21 acres. A revised map showing the 32-acre nomination area is attached. No other change to this nomination is proposed.

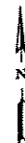
Please contact me, or Elaine Cox at 703-714-7450, if you require additional information or have any questions. We appreciate your assistance in this matter.

Very truly yours,

Francis A. McDermott

Attachments: Revised Nomination Area Map
Revised Certified Letter to Quincy Amusements, Inc.
Dated January 11, 2006
Original Postmarked Certified Receipt for the Revised Certified Letter

cc: The Honorable Peter F. Murphy, Jr., Chairman
Ms. Marianne Gardner
Ms. Leanna Hush
Mr. Greg Gulino, Quincy Amusements, Inc.
Mr. Jeffrey H. Saxe



1537

Map file is 56" X 75" based on USGS 1:24,000 7 1/2 minute Quad. Virginia Coordinate System volume 1 of 1983 North Zone in U.S. feet based NAD 83/93 High Precision GPS Network adjustment.

Modern Quade's Vertical Datum 1929

ZONING

Preface and Comments

The use or development of the property or properties subject of the zoning application announced is restricted beyond the designated zoning district regulations by special conditions ("C") or covenants ("D"). A complete explanation is provided on page 1 of the official zoning map.

Zoning revised to C9A-605
in accordance with the following:

The information contained on this page is NOT to be considered as a "legal disclaimer". It is not a survey product and not to be used for the design, modification or construction of improvements to land, property or for State grade determinations. Fairfax County does not provide any guarantee of accuracy or completeness regarding the map information. Any errors or omissions should be reported to the Fairfax County Geographic Information Services Branch of the Department of Information Technology. In no event will Fairfax County be liable for any damages, including but not limited to loss of time, lost profits, business interruptions, loss of business information or any other pecuniary loss that might arise from the use of this map or information it contains.



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SHEET INDEX

PROPERTY MAP
ZONING

56-1

Revised to: 09/16/05

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